

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-17 were under consideration in the application, of which Claims 1 and 12 are independent. Claims 18-20 have been withdrawn from consideration. In the Office Action dated May 30, 2006, Claims 1-17 were rejected under 35 U.S.C. 102(b). Following this response, Claims 1-17 and 21-23 remain under consideration in this application, Claims 21-23 being added by this Amendment. Applicant hereby addresses the Examiner's rejections in turn.

I. Interview Summary

Applicant thanks Examiner Nguyen for the courtesy of a telephone interview on August 9, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 102. During the interview, Applicant asserted that U.S. Published Patent Application No. US 2002/0032705 ("*Higashiyama*") at least does not teach or suggest a content-based guideline selected from a plurality of content-based guidelines by applying rules to determine which one of the plurality of content-based guidelines is dominant. While the Examiner was positive regarding the proposed claim amendments overcoming *Higashiyama*, the Examiner stated that she would need to update the current search. No agreement was made regarding patentability of the claims rejected using *Higashiyama*.

II. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action dated May 30, 2006, the Examiner rejected Claims 1-17 under 35 U.S.C. § 102(b) as being anticipated by *Higashiyama*. Claims 1 and 12 have

been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter. Support for these amendments can be found in the specification at least on page 13, lines 13-25, page 14, lines 9-16, and page 23, lines 3-8.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “the content-based guideline being selected from a plurality of content-based guidelines by applying rules to determine which one of the plurality of content-based guidelines is dominant, the plurality of content-based guidelines comprising vertical lines and horizontal lines, the vertical lines being attached to content features of the existing object and the horizontal lines being aligned to text comprising the existing object.” In addition, amended Claim 12 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “the content guideline being selected from a plurality of content-based guidelines comprising vertical lines and horizontal lines, the vertical lines being attached to content features of the dominant existing object and the horizontal lines being aligned to text comprising the dominant existing object.”

In contrast, *Higashiyama* at least does not disclose the aforementioned recitations from amended Claim 1 and amended Claim 12. For example, *Higashiyama* discloses that after a rule is selected, a cursor presentation is changed to match a selected rule. (See paragraph [0089].) The cursor presentation may be an icon indicating an anticipated location of an insertion point should a user double-click a mouse button while a cursor is at its current location. (See paragraph [0089].) The cursor may be: i) a left alignment icon indicating the insertion point may be left aligned;

ii) a center alignment icon indicating the insertion point may be center aligned; iii) a right alignment icon indicating the insertion point may be right aligned; iv) an indent icon indicating that the insertion point may be indented; and v) a text-wrapping icon indicating the type of text wrapping that may be applied to an object next to which the cursor is positioned. (See paragraph [0089].) Thus, a selected rule that corresponds to formatting steps that left align the insertion point may cause a left align cursor to be displayed. (See paragraph [0089].)

Higashiyama, in contrast, does not disclose a content-based guideline selected from a plurality of content-based guidelines by applying rules to determine which one of the plurality of content-based guidelines is dominant. Furthermore, a plurality of content-based guidelines comprising vertical lines attached to content features of a dominant existing object and horizontal lines aligned to text comprising the dominant existing object is not disclosed in *Higashiyama*. Rather *Higashiyama* is silent regarding these recitations.

Higashiyama does not anticipate the claimed invention because *Higashiyama* at least does not disclose “the content-based guideline being selected from a plurality of content-based guidelines by applying rules to determine which one of the plurality of content-based guidelines is dominant, the plurality of content-based guidelines comprising vertical lines and horizontal lines, the vertical lines being attached to content features of the existing object and the horizontal lines being aligned to text comprising the existing object,” as recited by amended Claim 1. Furthermore, *Higashiyama* does not anticipate the claimed invention because *Higashiyama* at least does not disclose “the content guideline being selected from a plurality of content-based guidelines

comprising vertical lines and horizontal lines, the vertical lines being attached to content features of the dominant existing object and horizontal lines being aligned to text comprising the dominant existing object,” as recited by amended Claim 12.

Accordingly, independent Claims 1 and 12 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1 and 12.

Dependent Claims 2-11 and 13-17 are also allowable at least for the reasons described above regarding independent Claims 1 and 12, and by virtue of their respective dependencies upon independent Claims 1 and 12. Accordingly, Applicant respectfully requests withdrawal of this rejection of dependent Claims 2-11 and 13-17.

III. New Claims

Claims 21-23 have been added to more distinctly define and to round out the protection for the invention to which Applicant is entitled. Applicant respectfully submits that these claims are allowable over the cited art and that they add no new matter.

IV. Conclusion


In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the

preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

Dated: August 10, 2006

By: 
D. Kent Stier
Reg. No. 50,640

Merchant & Gould
P.O. Box 2903
Minneapolis, Minnesota 55402-9946
Telephone: 404.954.5066



DKS:mdc